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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/603,108	06/22/2000	Denis Serenyi	04860.P2535	9213

7590 05/04/2005

James C Scheller Jr
Blakely Sokoloff Taylor & Zafman LLP
12400 Wilshire Boulevard
7th Floor
Los Angeles, CA 90025

EXAMINER

DUONG, THOMAS

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/603,108

Applicant(s)

SERENYI ET AL.

Examiner

Thomas Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8, 10-13, 15-20, 69-88, 137-139, 141-142, and 145 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8, 10-13, 15-20, 69-88, 137-139, 141-142, and 145 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This office action is in response to the applicants Amendment filed on December 27, 2004. Applicant amended *claims 1, 3-6, 8, 10-13, 15-20, 69, 71, 76, 80, 82, 85-86, 137-139, 141-142, and 145*. Applicant canceled *claims 7, 9, 14, 21-68, 75, 89-136, 140, and 143-144*. *Claims 1-6, 8, 10-13, 15-20, 69-74, 76-88, 137-139, 141-142, and 145* are presented for further consideration and examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. *Claims 1-6, 8, 10-13, 15-20, 69-74, 76-88, 137-139, 141-142 and 145* are rejected under 35 U.S.C. 103(a) as being unpatentable over Lambert et al. (US006629138B1), in view of Wynblatt et al. (US006546421B1), and further in view of Bushmitch et al. (US006275471B1).
4. With regard to *claims 1, 12, 69, 80, 137, 139, 141-142 and 145*, Lambert discloses,
 - *transmitting a request for streaming media data to be delivered to said caching proxy server;* (Lambert, col.5, lines 28-30; col.6, lines 10-12; fig.2-3)

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- *receiving said streaming media data and storing said streaming media data on a storage device which is capable of being controlled by said caching proxy server; and (Lambert, col.12, lines 57-60; col.6, lines 54-57; fig.3; fig.6)*

However, Lambert does not explicitly disclose,

- *transmitting a request for one or more Real-Time Protocol ("RTP") extensions associated with said streaming media data, wherein each of said one or more RTP extensions represents a type of related or unrelated data that is necessary for performing a particular transmission operation for a packet of said streaming media data;*

Bushmitch teaches,

- *transmitting a request for one or more Real-Time Protocol ("RTP") extensions associated with said streaming media data, wherein each of said one or more RTP extensions represents a type of related or unrelated data that is necessary for performing a particular transmission operation for a packet of said streaming media data; (Bushmitch, col.1, lines 30-46; col.3, lines 23-25; lines 35-38, lines 44-61; col.4, line 29 – col.5, line 28; col.10, lines 13-20)*

Lambert and Wynblatt disclose methods for obtaining (i.e. receiving) streaming media data from data stream servers and storing the streaming media data at a caching proxy server (Lambert, fig.3; Wynblatt, fig.2). According to Wynblatt, it is well known in the art that RTP (Real-time Transport Protocol) is a packet format for streaming multimedia data and that RTSP (Real Time Streaming Protocol) is developed for transmitting streamed multimedia over IP networks. Furthermore, Bushmitch teaches that RTP can *"provide other delivery services needed to implement a robust real-time protocol, including entity identifications, session*

management, and reliability services" (Bushmitch, col.3, lines 53-56). Also, Bushmitch discloses that the header extension area of the RTP data packet can be used for stream-specific data transmittal (Bushmitch, col.5, lines 15-28). Thus, it can be interpreted from the Lambert, Wynblatt, and Bushmitch references that the RTP extension (which is a part of the RTP stream data packet) can specify the various transmittal operations (i.e. methods) of real-time streaming of multimedia data.

According to Bushmitch, *"by setting extension field to one, the header extension area carries the remaining part of the logical SSRC. This remaining part includes the 32-bit IP address of sender entity and the Object ID (64-bit) for receiver entity which is put into the extension header of the data packet"* (Bushmitch, col.5, lines 18-23). Hence, the header extension area of the data packet is used to transmit additional data information associated with the data packet and ultimately the media stream.

Wynblatt teaches,

- *receiving said one or more RTP extensions associated with said streaming media data, wherein each of said one or more RTP extensions is a sub-extension in an extensible extended RTP header of the packet of said streaming media data.* (Wynblatt, col.4, line 64 – col.5, line 4; fig.3)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Wynblatt with the teachings of Lambert to convey information regarding the content of one or more corresponding data streams of the data stream servers (Wynblatt, col.3, lines 3-6). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention

was made to combine the teachings of Bushmitch with the teachings of Wynblatt and Lambert to provide for reliable real-time data streaming in a multimedia delivery system while utilizing best effort unreliable network services (e.g. Internet).

5. With regard to claims 3, 71 and 138, Lambert discloses,

- *responding to the request with a response indicating a capability of the server to support the request; and* (Lambert, col.8, lines 3-7)

However, Lambert does not explicitly disclose,

- *receiving a request for streaming media data, said request including a request for one or more Real-Time Protocol ("RTP") extensions associated with said streaming media data, wherein each of said one or more RTP extensions represents a type of related or unrelated data that is necessary for performing a particular transmission operation for a packet of said streaming media data;*
- *sending the requested data associated with said streaming media data, wherein each of said one or more RTP extensions is a sub-extension in an extensible extended RTP header of the packet of said streaming media data.*

Bushmitch teaches,

- receiving a request for streaming media data, said request including a request for one or more Real-Time Protocol ("RTP") extensions associated with said streaming media data, wherein each of said one or more RTP extensions represents a type of related or unrelated data that is necessary for performing a particular transmission operation for a packet of said streaming media data;
(Bushmitch, col.1, lines 30-46; col.3, lines 23-25, lines 35-38, lines 44-61; col.4, line 29 – col.5, line 28; col.10, lines 13-20)

Lambert and Wynblatt disclose methods for obtaining (i.e. receiving) streaming media data from data stream servers and storing the streaming media data at a caching proxy server (Lambert, fig.3; Wynblatt, fig.2). According to Wynblatt, it is well known in the art that RTP (Real-time Transport Protocol) is a packet format for streaming multimedia data and that RTSP (Real Time Streaming Protocol) is developed for transmitting streamed multimedia over IP networks. Furthermore, Bushmitch teaches that RTP can *"provide other delivery services needed to implement a robust real-time protocol, including entity identifications, session management, and reliability services"* (Bushmitch, col.3, lines 53-56). Also, Bushmitch discloses that the header extension area of the RTP data packet can be used for stream-specific data transmittal (Bushmitch, col.5, lines 15-28). Thus, it can be interpreted from the Lambert, Wynblatt, and Bushmitch references that the RTP extension (which is a part of the RTP stream data packet) can specify the various transmittal operations (i.e. methods) of real-time streaming of multimedia data.

According to Bushmitch, *"by setting extension field to one, the header extension area carries the remaining part of the logical SSRC. This remaining part includes the 32-bit IP address of sender entity and the Object ID (64-bit) for receiver entity which is put into the extension header of the data packet"* (Bushmitch, col.5, lines 18-23). Hence, the header extension area of the data packet is used to transmit additional data information associated with the data packet and ultimately the media stream.

Wynblatt teaches,

- sending the requested data associated with said streaming media data, wherein each of said one or more RTP extensions is a sub-extension in an extensible extended RTP header of the packet of said streaming media data. (Wynblatt, col.4, line 64 – col.5, line 4; fig.3)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Wynblatt with the teachings of Lambert to convey information regarding the content of one or more corresponding data streams of the data stream servers (Wynblatt, col.3, lines 3-6). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Bushmitch with the teachings of Wynblatt and Lambert to provide for reliable real-time data streaming in a multimedia delivery system while utilizing best effort unreliable network services (e.g. Internet).

6. With regard to claims 2 and 70, Lambert, Wynblatt and Bushmitch disclose,

Furthermore, Bushmitch discloses,

- *storing said data one or more RTP extensions associated with said streaming media data in said storage device.* (Bushmitch, col.3, lines 23-25, lines 35-38, lines 44-61; col.4, line 66 – col.5, line 28; col.10, lines 13-20)

7. With regard to claims 4, 13, 72 and 81, Lambert, Wynblatt and Bushmitch disclose,

Furthermore, Wynblatt discloses,

- *wherein said sending uses a real-time transport protocol (RTP)* (Wynblatt, col.1, lines 22-31)

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8. With regard to claims 5 and 73, Lambert, Wynblatt and Bushmitch disclose,
Furthermore, Lambert discloses,
 - *wherein said request may be made by a caching proxy server or a client*
(Lambert, col.5, lines 30-33, lines 35-38, lines 60-61; col.6, lines 10-12)
9. With regard to claims 6, 10-11, 16, 19-20, 74, 78-79, 84 and 87-88, Lambert, Wynblatt and Bushmitch disclose,
Furthermore, Lambert discloses,
 - *wherein the server responding with an echo only if it supports the request*
(Lambert, col.8, lines 3-7)
10. With regard to claims 8, 17-18, 76-77, 82 and 85-86, Lambert, Wynblatt and Bushmitch disclose,
Furthermore, Bushmitch discloses,
 - *wherein the extensible extended header comprises an extension name and an extension identification (m) associated with each separate RTP extension.*
(Bushmitch, col.5, lines 15-28)
11. With regard to claims 15 and 83, Lambert, Wynblatt and Bushmitch disclose,
Furthermore, Lambert and Bushmitch disclose,
 - *wherein said sending a request may be for one or more various and unrelated types of streaming media data to be sent at a time* (Lambert, col.5, lines 12-16; Bushmitch, col.3, lines 33-43)

Response to Arguments

12. Applicant's arguments with respect to *claim 1* have been considered but they are not persuasive.

13. With regard to *claim 1*, the Applicants point out that:

- *It is respectfully submitted that neither Lambert, Wynblatt, or Bushmitch discloses, teaches, or suggests one or more RTP extensions associated with said streaming media data, wherein each of said one or more RTP extensions represents a type of related or unrelated data that is necessary for performing a particular transmission operation for a packet of the streaming media data, wherein each of said one or more RTP extensions is a sub-extension in an extensible extended RTP header of the packet of the streaming media data, as recited in amended claim 1.*

However, the Examiner finds that the Applicants' arguments are not persuasive and maintains that Lambert, Wynblatt, and Bushmitch disclose,

- *transmitting a request for streaming media data to be delivered to said caching proxy server; (Lambert, col.5, lines 28-30; col.6, lines 10-12; fig.2-3)*
- *receiving said streaming media data and storing said streaming media data on a storage device which is capable of being controlled by said caching proxy server; and (Lambert, col.12, lines 57-60; col.6, lines 54-57; fig.3; fig.6)*

However, Lambert does not explicitly disclose,

- *transmitting a request for one or more Real-Time Protocol ("RTP") extensions associated with said streaming media data, wherein each of said one or more RTP extensions represents a type of related or unrelated data that is necessary*

for performing a particular transmission operation for a packet of said streaming media data;

Bushmitch teaches,

- *transmitting a request for one or more Real-Time Protocol ("RTP") extensions associated with said streaming media data, wherein each of said one or more RTP extensions represents a type of related or unrelated data that is necessary for performing a particular transmission operation for a packet of said streaming media data;* (Bushmitch, col.1, lines 30-46; col.3, lines 23-25, lines 35-38, lines 44-61; col.4, line 29 – col.5, line 28; col.10, lines 13-20)

Lambert and Wynblatt disclose methods for obtaining (i.e. receiving) streaming media data from data stream servers and storing the streaming media data at a caching proxy server (Lambert, fig.3; Wynblatt, fig.2). According to Wynblatt, it is well known in the art that RTP (Real-time Transport Protocol) is a packet format for streaming multimedia data and that RTSP (Real Time Streaming Protocol) is developed for transmitting streamed multimedia over IP networks. Furthermore, Bushmitch teaches that RTP can *"provide other delivery services needed to implement a robust real-time protocol, including entity identifications, session management, and reliability services"* (Bushmitch, col.3, lines 53-56). Also, Bushmitch discloses that the header extension area of the RTP data packet can be used for stream-specific data transmittal (Bushmitch, col.5, lines 15-28).

Thus, it can be interpreted from the Lambert, Wynblatt, and Bushmitch references that the RTP extension (which is a part of the RTP stream data packet) can specify the various transmittal operations (i.e. methods) of real-time streaming of multimedia data.

According to Bushmitch, *"by setting extension field to one, the header extension area carries the remaining part of the logical SSRC. This remaining part includes the 32-bit IP address of sender entity and the Object ID (64-bit) for receiver entity which is put into the extension header of the data packet"* (Bushmitch, col.5, lines 18-23). Hence, the header extension area of the data packet is used to transmit additional data information associated with the data packet and ultimately the media stream.

Furthermore, the RTP specification does not define any header extensions itself; and, in order to allow multiple interoperating implementations to each experiment independently with different header extensions, or to allow a particular implementation to experiment with more than one type of header extension, the first 16 bits of the header extension are left open for distinguishing identifiers or parameters. In addition, the format of these 16 bits is to be defined by the profile specification under which the implementations are operating.

While Bushmitch does state *"while the above described RTP-based data packets are used for stream specific data transmittal, application specific standard RTCP messages (as described below) are used for session management, flow control, error correction and other system functions in the media delivery system"*, it is merely to point out that the RTCP header also includes the extension header as in the RTP ones.

Wynblatt teaches,

- *receiving said one or more RTP extensions associated with said streaming media data, wherein each of said one or more RTP extensions is a sub-*

extension in an extensible extended RTP header of the packet of said streaming media data. (Wynblatt, col.4, line 64 – col.5, line 4; fig.3)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Wynblatt with the teachings of Lambert to convey information regarding the content of one or more corresponding data streams of the data stream servers (Wynblatt, col.3, lines 3-6). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Bushmitch with the teachings of Wynblatt and Lambert to provide for reliable real-time data streaming in a multimedia delivery system while utilizing best effort unreliable network services (e.g. Internet). Therefore, the Applicants still failed to clearly disclose the novelty of the invention and identify specific limitation, which would define patentable distinction over prior art.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the


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advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571/272-6159. The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9306 for After Final communications.

Thomas Duong (AU2145)

April 29, 2005


VALENCIA MARTIN-WALLACE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700